IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 19723 of 2004

Between:

A. Muralinath, S/o. Late Nataraja,
aged 38 years, Cook-cum-Helper,
SPW Polytechnic, TTDs Tirupathi,
R/o. Tirupathi, Chittoor District.

....PETITIONER

AND

1 The Tirumala Tiurpathi Devasthanams, Tirupathi,
Chittoor District, Rep. by its Executive Officer,

2 The Principal, SPW Polytechnic, TTDs,
Tirupathi, Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents in discontinuing the petitioner from service without any notice or opportunity as arbitrary, discriminatory, illegal and contrary to the proposals sent by the 1st Respondent vide Letter Roc No. B5/10321/92 dated 3-9-1994 and consequently direct the Respondents to absorb the Petitioner forthwith in any post in any department in TTDs., as has been done in respect of Sri P. Vijaya Bhaskar Reddy, Helper and other similarly situated employees of Bakery Project of the 2nd Respondent, in the light of the Judgment dated
10-7-2003 in WP No. 5162 of 2001 and with all other consequential benefits

monetary and otherwise,

Counsel for the Petitioner: MR.V.JAGAPATHI

Counsel for the Respondent Nos.1 & 2: MR.D.SETHURAMI REDDY (SC FOR TTD)

The Court made the following :

ORDER

Heard Mr.V.Jagapathi , learned counsel appearing on behalf of the petitioner and also Mr.D.Sethu Rami Reddy, learned Standing Counsel appearing on behalf of the respondents.

It is represented by the learned counsel appearing on behalf of the petitioner that the question involved is already covered by the decision of this Court in W.P.No.5162 of 2001, dated 10-07-2003 allowing similar such case in the similarly placed employees. Further, the said order was also confirmed by the Supreme Court in Special Leave to Appeal (Civil) No.10012 of 2004, dated 06-07-2004.

Following the same, the Writ petition is accordingly disposed of directing the respondents to consider the petitioner's case for absorption in any existing or available future vacancy in any post having regard to his long service and it is clarified that the petitioner has no claim for equivalence of status and salary to withdraw as he was drawing when employed earlier. The entire exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order. No costs.

23-03-2005.

Hsd

Asst. Registrar

To

1 The Executive Officer, Tirumala Tiurpathi Devasthanams, Tirupathi, Chittoor District.

2 The Principal, SPW Polytechnic, TTDs, Tirupathi, Chittoor District.

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